

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

LORENZO OZORIA-ALVAREZ
Defendant.

CRIMINAL NO. 17-521 (GAG)

SENTENCING MEMORANDUM



Lorenzo is 45 years old. He suffers from Type II diabetes, high blood pressure, and high cholesterol. After ten years living in his home country, he attempted to return to the United States last fall when he was failing to support his family. The boat he was travelling on was intercepted at sea and he was arrested.

Back home, Lorenzo has a wife suffering from kidney failure, a grandmother whose health is fading, and four young children and a grandchild who depend on him financially. Lorenzo has failed his family. His actions got him arrested and detained, and deprived them of their sole source of support. In his absence, they are suffering more now than they were before he left. Lorenzo is acutely aware of – and pained by – the toll his mistake has taken on his family. He looks forward to returning to his homeland, family, and mechanic shop. The nearly ten months that Lorenzo has been detained in this case are more than sufficient to comply with the purposes of sentencing.

Lorenzo was born and raised in the outskirts of San Pedro de Macoris, Dominican Republic. His father worked long, physically demanding hours on a sugar plantation, and died of complications from diabetes when Lorenzo was young. From that point on, Lorenzo's mother supported the household, which included five children and her own



Photos of Lorenzo's home in San Pedro de Macoris

mother. Though Lorenzo was a good student in school, he dropped out during eighth grade and began working as a mechanic to help pay the bills. Years later, Lorenzo's mother died too, leaving Lorenzo and his siblings to support themselves.

In the 1990s, Lorenzo moved to the United States in pursuit of the American dream. For many years, things went well for him in the states. He got married, became a legal permanent resident, found work. He lost everything – his legal status, his chance at a legal life in America – in 2002, when he was arrested for a drug conspiracy. In 2007, Lorenzo was deported from the United States to the Dominican Republic.

Back home, Lorenzo lived with family, and eventually started a relationship with Yuderka Berroa. Over the past five years, he has helped raise her three young children, in addition to caring for his own minor children and baby grandson. Their shanty home, made of wood and zinc has no running water, limited electricity, and no indoor bathroom. The family uses a latrine behind the house and cooks on a gas stove. During heavy rainstorms, the roof leaks freely, soaking the few pieces of furniture inside and turning the dirt floor into mud. The living conditions are damaging to the family's health.

Lorenzo ran a humble mechanic workshop on his property. He worked long hours, accepting many low-paying jobs. Though he had regular clientele, in 2017 his family's increasing medical expenses made it impossible for him to make ends meet. Eventually, his desperation drove him to return to Puerto Rico, where he heard that construction work would be easy to find and pay well.

Lorenzo's family is struggling more in his absence. Lorenzo's family does not have the means or resources to contribute to his BOP commissary. As such, he has very limited communication with his family. Yet they have kept in communication with the undersigned and expressed their continued love and support for him. They are eagerly awaiting his return home.

Yuderka describes Lorenzo as an honest, hard-working, and responsible person. She writes that he is very generous to others and a highly recommended mechanic in their town.

yo Yuderka Berroa Ogando 14/11/2017
me dedico a hacer una de esas, el tiempo que es concedido al Señor: Lorenzo Alvarez en el trabajo, es una persona honesta y responsable en su labor
El Señor: Lorenzo Alvarez es una persona de temperamento pasivo y respetuoso y honesto, y hasta ahora nunca a tenido problema con la ley, y a parte de eso es muy generoso con la donna y a tratado de superarse por su madre, esposa e hijo.
En la comunidad tiene un buen criterio de el, es un buen mecanico muy recomendado por los clients.
yo mantengo esa opinion sobre el Señor Lorenzo Alvarez, por k una persona dedicado ya sea en hogar y en su labor y comunidad en el tiempo que tengo convivido con el Señor Lorenzo Alvarez no escuchado ningun comentario en su pasado.

Lorenzo is very repentant of his decision to return to Puerto Rico illegally. Not only did his decision deprive him of his liberty, but it caused his family greater hardships than the ones that drove him here. He understands now more than ever the importance of complying with the law – both criminal and immigration. At 45 years old, he is not in the shape to endure difficult conditions he once was. His health requires regular care. He knows that taking a trip across the sea on a yola jeopardizes not only his freedom but his safety and health.

Lorenzo looks forward to returning home, to restarting his mechanic business, to rejoining his family, and to caring for his loved ones. He plans to work hard for them, as he always has. And he is committed to not letting them down again.

At the time of Lorenzo's sentencing hearing, he will have spent just under ten months in federal custody – detained in MDC Guaynabo, Yazoo City Mississippi, and Atlanta, Georgia. Because Lorenzo is repentant of what he did, unlikely to reoffend, and has a family who depends on him, a sentence of time-served is sufficient to comply with the purposes of sentencing.

WHEREFORE, it is respectfully requested that this Honorable Court take notice of this memorandum and sentence Mr. Ozoria to the time he has already served.

I HEREBY CERTIFY that on this date I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties of record.

In San Juan, Puerto Rico, this 22nd day of May, 2018.

ERIC A. VOS, ESQ.
Federal Public Defender
District of Puerto Rico

S/Eleonora C. Marranzini
Assistant Federal Public Defender
Government No. G02110
241 F.D. Roosevelt Ave.
Hato Rey, P.R. 00918-2441
(787) 281-4922/ Fax (787) 281-4899
E-mail: Ellie_Marranzini@fd.org